

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE: ALL TELEPHONE COMPANIES  
TARIFF FILINGS REGARDING  
RECLASSIFICATION OF PAY TELEPHONE  
SERVICE AS REQUIRED BY FCC

01 OCT 5 PM 4 27  
)  
) DOCKET NO. 97-00409  
EXECUTIVE SECRETARY

---

**REPLY OF TENNESSEE PAYPHONE OWNERS ASSOCIATION TO  
RESPONSE OF UNITED TELEPHONE – SOUTHEAST, INC.  
TO ORDER GRANTING MOTION TO COMPEL**

---

In response to the Hearing Officer's Order compelling United Telephone – Southeast, Inc. ("United") to answer the discovery requests submitted by the Tennessee Payphone Owners Association ("TPOA"), United states that it did not provide information on payphone and PTAS loop lengths as requested by TPOA because the information was not "readily available." Nevertheless, the company now states that it will, in fact, provide payphone and PTAS specific loop lengths and that the information will be used to develop a revised cost study the company intends to file by October 10, 2001.

When TPOA first requested this information, United did not respond by explaining that payphone loop length information was not "readily available."<sup>1</sup> Instead, the company referred to another document that had nothing to do with payphone specific loop length. It is now apparent that the company's initial answer was intentionally misleading. The honest answer would have been: "We have the information but we haven't yet collected it." Even now, instead of simply providing the information so that the TRA and TPOA can use it in conjunction

---

<sup>1</sup> Information about payphone and PTAS loop lengths is, of course, available to the company from its own engineering diagrams.

with the company's previously filed cost study, the company has proposed instead to do an entirely new study based on actual payphone and PTAS loop information.

TPOA suggests that the only reason the company is filing a revised study is to produce a higher PTAS rate than would result from using the earlier study in conjunction with actual PTAS loop lengths.

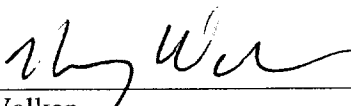
The company's filing is oddly silent regarding the need for, or purpose of, the revised study. One can readily speculate, however, that the company has now obtained actual PTAS loop information, applied that information to the earlier cost study, as TPOA would do, and decided that the cost-based result is too "low." Therefore, the company has apparently decided to make some offsetting adjustments to the earlier study in order to produce a higher rate.

Therefore, TPOA asks, yet again, that United be ordered immediately to produce actual payphone and PTAS loop lengths in response to TPOA's discovery questions. TPOA will determine how to respond to the revised cost study after reviewing it.<sup>2</sup>

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: \_\_\_\_\_

  
Henry Walker  
414 Union Street, Suite 1600  
P.O. Box 198062  
Nashville, Tennessee 37219  
(615) 252-2363

---

<sup>2</sup> One would hope and expect that United will file with the revised study sufficient supporting documentation and workpapers so that TPOA and the TRA can readily identify all differences between the two studies.

## CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2001, a copy of the foregoing document was served on the parties of record, via hand delivery or U.S. First Class Mail addressed as follows:

Richard Collier, Esquire  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Janet M. Kleinfelter, Esquire  
Assistant Attorney General  
Financial Division  
425 Fifth Avenue North, 2nd Floor  
Nashville, Tennessee 37243-0500

T.G. Pappas, Esquire  
Bass, Berry & Sims  
2700 First American Center  
Nashville, Tennessee 37219-8888


James Wright, Esquire  
United Telephone-Southeast  
14111 Capitol Blvd.  
Wake Forest, NC 27587

Jon Hastings, Esquire  
Boult, Cummings, Connors & Berry  
414 Union Street, Suite 1600  
Nashville, Tennessee 37219-8062

Jack W. Robinson, Jr., Esquire  
Gullett, Sanford, Robinson & Martin  
230 Fourth Avenue North  
Third Floor  
Nashville, Tennessee 37219-8888

Guy M. Hicks, Esquire  
BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, Tennessee 37201-3300

Richard Tettelbaum, Esquire  
Citizens Telecom  
1400 16th Street, N.W., Suite 500  
Washington, D.C. 20036

  
Henry Walker